REMARKS

In the Final Official Action, the Examiner rejected claims 1-3, 5, 6, 8, 9, 11 and 13 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,911,916 to Wang et al., (hereinafter "Wang") in view of U.S. Patent No. 6,278,975 to Brant et al. (hereinafter "Brant"). Additionally, the Examiner rejected claim 4 under 35 U.S.C. § 103(a) as being unpatentable over Wang and Brant and further in view of U.S. Patent Application Publication No. 2003/0139789 to Tvinneriem (hereinafter "Tvinneriem"). Lastly, the Examiner rejected claims 7 and 10 under 35 U.S.C. § 103(a) as being unpatentable over Wang and Brant and further in view of U.S. Patent No. 6,402,714 to Kraft-Kivikoski (hereinafter "Kraft-Kivikoski").

In response, independent claims 1 and 13 have been amended to clarify their distinguishing features. Specifically, claim 1 has been amended to recite "comparison data storing means which hierarchically prestores comparison data to identify the hierarchy in execution of the instruction." Independent claim 13 has been similarly amended. The amendment to claims 1 and 13 is fully supported in the original disclosure. Thus, no new matter has been entered into the original disclosure by way of the present amendment to claims 1 and 13.

Turning now to the prior art, the Applicant respectfully submits that neither Wang nor Brant discloses or suggests the comparison data storing means or step that is recited in claims 1 and 13, respectively. The comparison data is based on e.g., navigation commands (table 1) stored in the navigation command memory (53).

Such a means and step results in advantages not present in the prior art, including Wang and Brant, such as by comparing voice data that is hierarchically stored

comparison data, the voice can be easily and surely recognized as an instruction to be executed by the executing unit.

With regard to the rejection of claims 1-3, 5, 6, 8, 9, 11 and 13 under 35 U.S.C. § 103(a), independent claims 1 and 13 are not rendered obvious by the cited references because neither the Wang patent nor the Brant patent, whether taken alone or in combination, teach or suggest an endoscope system or a device control method having the features discussed above and recited in independent claims 1 and 13, respectively. Accordingly, claims 1 and 13 patentably distinguish over the prior art and are allowable. Claims 2, 3, 5, 6, 8, 9 and 11, being dependent upon claim 1, are thus at least allowable therewith.

With regard to the rejections of claims 4, 7 and 10 under 35 U.S.C. § 103(a), since independent claim 1 patentably distinguishes over the prior art and is allowable, claims 4, 7 and 10 are at least allowable therewith because they depend from an allowable base claim.

The above amendments and remarks establish the patentable nature of all the claims currently in this case. Issuance of a Notice of Allowance and passage to issue of these claims are therefore respectfully solicited. If the Examiner believes that a telephone conference with Applicants' attorney would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,

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